

REMARKS

Reconsideration is respectfully requested, for the rejection of the claims as unpatentable over DARBY (WO 97/39713), alone or in view of MATTINGLY, III et al. 4,806,411.

In the present application, it is very important that the angle  $v$  is used to specify a favorable arc shape of the long sides 2 and 3 of the product in the second end portion 7. See page 9, lines 22-24 of the present specification.

Thus, the sides of the product must be arcuate in order to satisfy the definition of the angle  $v$  given in claim 1.

By contrast, DARBY requires that the elongated lower end or posterior end portion of the product according to DARBY has a uniform width. See, for example, the claims of DARBY. The length of this portion is 10-80 mm. It is thus clear that the second end portion of the product according to DARBY does not have arcuate long sides but rather sides having arcuate parts and straight parts, whereby the angle  $v$  as defined in our claim 1, and its method of computation, cannot be satisfied by DARBY.

Notice also from DARBY that the second end portion must be straight. It would thus be directly contrary to the teachings of DARBY, to make the long sides of this end portion arcuate.

As is evident from page 3, third and fourth paragraphs and the paragraph bridging pages 3 and 4 of our specification, it is necessary for the absorbent capacity and for reducing the risk

of leakage, that the absorbent product follow the edges of the briefs in the crotch part. Claim 1 defines especially favorable shapes and dimensions for the second end portion of a product such as a sanitary napkin, in order to construct products that can fulfill this requirement. Thus, a product having such a combination of shapes and dimensions would not have been obvious to a person of ordinary skill in the art, at the time the invention was made, who also had the DARBY disclosure before him or her.

The MATTINGLY patent does not improve the rejection on DARBY as to the features described above, and so need not be discussed in greater detail.

It is accordingly believed that claim 1 as it stands defines an obvious subject matter relative to DARBY, or DARBY in view of MATTINGLY, and should be allowed. It follows that claims 2-8, dependent from claim 1, must also be allowed.

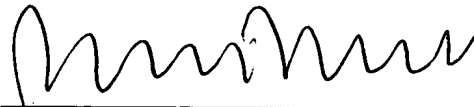
In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

Application No. 09/856,299  
Response dated January 6, 2004  
Reply to Office Action of October 6, 2003  
Docket No. 1501-1106

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

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